

**OKLAHOMA WORKERS' COMPENSATION COMMISSION
SPECIAL MEETING MINUTES
JANUARY 13, 2022, 2:30 P.M.**

STATEMENT OF OKLAHOMA OPEN MEETING ACT COMPLIANCE

Notice of this Special Business Meeting was filed with the Secretary of State's office on Thursday, January 6, 2022, at 10:59 a.m. in compliance with the Open Meeting Act.

The agenda was posted at least 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, the Commission's principal office.

**MINUTES OF THE JANUARY 13, 2022, SPECIAL BUSINESS MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION COMMISSION**

The members of the Oklahoma Workers' Compensation Commission met at 1915 N. Stiles Ave., 3rd floor, Oklahoma City, Oklahoma, on January 13, 2022.

Members present: Chairman Jordan Russell, Commissioner Megan Tilly, and Commissioner Scott Biggs.

Others Present: Alexander Watkins, WCC; Tava Jones, WCC; Ian Steedman, WCC; Hopper Smith, WCC; Lauren Hammonds Johnson, WCC; Sharon Smith, WCC; and Collin Fowler, WCC.

Chairman Russell expressed appreciation for those in attendance. After the roll was taken, Chairman Russell found a quorum present and called the meeting to order at 2:30 p.m.

1. Approval of Minutes

The minutes of the December 8, 2021, Special Meeting of the Commission were considered for approval.

Motion: Commissioner Biggs moved to approve the minutes of the December 8, 2021, Special Meeting of the Commission.

Second: Commissioner Tilly

Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

2. Discussion and Possible Action of Consent Agenda for Travel Vouchers Currently Outstanding

Title 85A O.S. § 23 states, [a]ny Commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission.” In accordance with this section, the Commission will consider a vote to approve the currently outstanding vouchers.

All travel vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today’s meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and voted upon separately.

Motion: Commissioner Tilly moved to approve the travel vouchers.

Second: Commissioner Biggs

Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

3. Request to Reduce Security Deposit for Flex-N-Gate Corporation, Former Own Risk Permit #19362

Flex-N-Gate Corporation (“the Company”), former own risk permit #19362, was a self-insured employer in the Own Risk program until June 1, 2015. The Company petitioned the Commission to reduce the Company’s security deposit on file. The Commission held a \$1,075,000 Letter of Credit, issued by Bank of America as security deposit. They requested a reduction of their security deposit to \$275,000.

The Company complied with Commission Rule 810:25-9-19.

Sharon Smith was recognized, presented, and answered questions of the Commission.

Motion: Commissioner Tilly moved to approve the reduction of the security deposit from \$1,075,000 to \$275,000.

Second: Commissioner Biggs

Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

4. Request to Reduce Security Deposit for Superior Energy Services Inc., Former Own Risk Permit #20139

Superior Energy Services Inc. (“the Company”), former own risk permit #20139, was a self-insured employer in the Own Risk program until October 1, 2020. The Company petitioned the Commission to reduce the Company’s security deposit on file. The Commission held a \$1,850,000 Letter of Credit, issued by JP Morgan Chase Bank, N.A. as security deposit. They requested a reduction of their security deposit to \$400,000.

The Company complied with Commission Rule 810:25-9-19.

Sharon Smith was recognized, presented, and answered questions of the Commission.

Motion: Commissioner Biggs moved to accept the recommendation of Director Lawson for Superior Energy Services Inc., to reduce the security deposit for the Company to \$400,000.

Second: Commissioner Tilly

Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

5. Request to Fully Release the Security Deposit for Saint Simeon’s Episcopal Home Inc., Former Own Risk Permit #17958

Saint Simeon’s Episcopal Home Inc. (“the Company”), former own risk permit #17958, was a self-insured employer in the Own Risk program until June 1, 2019. The Company petitioned the Commission to fully release the Company’s security deposit on file. The Commission held a \$250,000 Letter of Credit, issued by Prosperity Bank as security deposit.

All claims have been closed out and they all have passed the statute of limitations for reopening. The Company complied with Commission Rule 810:25-9-19.

Sharon Smith was recognized, presented, and answered questions of the Commission.

Motion: Commissioner Biggs moved to approve the recommendation of Director Lawson for agenda item #5, to fully release the security deposit for the Company.

Second: Commissioner Tilly

Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

6. Discussion of the Draft 2022 Fee Schedule, Approval of Draft for Public Comment, and Setting of Comment Period and Comment Meeting Dates

Chairman Russell presented and answered questions of the Commission.

Motion: Commissioner Tilly moved to publish the proposed Draft Fee Schedule to the Commission’s website with a 30-day comment period beginning Friday, January 14, and setting meeting dates of February 10, for public comment, and February 11, for the Physician Advisory Committee.

Second: Commissioner Biggs

Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

7. Discussion and Possible Action on the 2022 Proposed Agency Administrative Rules Notice of Rulemaking Intent (NRI)

Lauren Hammonds Johnson was recognized, presented, and answered questions of the Commission.

Motion: Commissioner Tilly moved to approve proposed NRIs as presented and direct the General Counsel to file.

Second: Commissioner Biggs

Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

8. Legislative Update and Discussion

Commissioner Biggs presented and answered questions of the Commission.

No action was taken on this agenda item.

9. Discussion and Update on CaseOK Project

Ian Steedman was recognized, presented, and answered questions of the Commission.

No action was taken on this agenda item.

ADJOURNMENT.....Chairman Jordan Russell

Motion: Commissioner Tilly moved to adjourn.

Second: Commissioner Biggs

Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

The meeting adjourned at 3:41 p.m.